

strued as to effectuate its general purpose and to make uniform the laws of such States as enact similar legislation.

§ 2. EMERGENCY.] This act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval.

Approved March 7, 1939.

RAILROAD COMMISSION

CHAPTER 197

H. B. No. 85—(Committee on Ways & Means)

EXTENDING POWERS OF BOARD OF RAILROAD COMMISSIONERS

An act to amend and re-enact Section 591 of North Dakota Compiled Laws of 1913, relative to the powers of the Board of Railroad Commissioners, and extending such powers to include common carrier pipe lines; and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. That Section 591 of the Compiled Laws of 1913 for the State of North Dakota be amended and re-enacted to read as follows:

§591. INVESTIGATION OF INTERSTATE RATES.] It is hereby made the duty of the Board of Railroad Commissioners to exercise constant diligence in informing themselves of the rates, charges, rules and practices of common carriers engaged in the transportation of freight, express and passengers, or the transportation by pipe line of crude petroleum or gas or other petroleum products or in the transmission of messages or intelligence, from points in this State to points beyond its limits, and from points in other States to points in this State, also in territory wholly outside of this State, and whenever it shall come to the knowledge of the Board of Railroad Commissioners either from their own investigation or by complaint made to them in any manner whatsoever that the rates charged by any common carrier on interstate business are unjust or unreasonable or that such rates, rules or practices discriminate unjustly against the citizens, industries or interests of this State or place any of the citizens, industries or interests of this State, at an unreasonable disadvantage, as compared with those of other States, or are levied or laid in violation of the act to regulate commerce, or in conflict with the rulings, orders or regu-

lations of the Interstate Commerce Commission, it shall be the duty of the Board of Railroad Commissioners to immediately call the attention of the officials of such common carriers operating in this State to the fact, and to urge upon them the propriety of changing such rate or rates, rules or practices. Whenever such rates, rules or practices are not changed or adjusted so as to remove or remedy such discrimination within a reasonable time, it shall be the duty of the Board of Railroad Commissioners, whenever it can legally be done, to present the facts involved in such discrimination to the Interstate Commerce Commission and appeal to it for relief and thereafter, if deemed necessary, by said Board of Railroad Commissioners, the Attorney-General, with such other assistance as is now provided by law, shall prosecute any charge or charges growing out of any such discrimination.

Approved February 9, 1939.

CHAPTER 198

H. B. No. 168—(Heckman, Rait, Anderson of Benson,
Brown, McIntee and Joiner)

RAILROAD STATIONS AND AGENTS

An act to amend and re-enact Section 4656 of the Compiled Laws of 1913, relative to the maintenance of railroad stations and station agents.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. That Section 4656 of the Compiled Laws of 1913 be amended and re-enacted to read as follows:

§ 4656. WHEN STATIONS AND STATION AGENTS TO BE MAINTAINED.] Every railroad corporation in the State of North Dakota shall build a station house and keep a station agent twelve months each year when so ordered by the Railroad Commissioners at all of its sidings where there is grain and merchandise of any description to be shipped, when the outgoing and incoming freight, and all other receipts at said station amounts to six thousand dollars or more on an average of the three last preceding calendar years. Provided, that said stations are not less distant than five miles apart upon the same line of railway.

Provided, further, that in the event the gross revenues do not amount to six thousand dollars or more annually, based on the average of such revenues for the preceding three year period, the Board of Railroad Commissioners shall exercise its discretion, after giving proper consideration to the public need, convenience and safety, in determining whether or not the permission sought by the railroad shall be granted.

Approved March 16, 1939.